

WILLMAR CITY COUNCIL PROCEEDINGS  
COUNCIL CHAMBERS  
WILLMAR MUNICIPAL UTILITIES BUILDING  
WILLMAR, MINNESOTA

November 3, 1999

The Board of Canvass was called to order at 6:50 p.m. by Mayor Pro Tempore Verna Kelly. Members present on a roll call were Council Members Verna Kelly, Ron Christianson, Douglas Reese, Nancy Houlahan, Denis Anderson, Jim Dokken, Bruce DeBlieck, and Rick Fagerlie.

Also present were City Administrator Michael Schmit, City Attorney Rich Ronning, Finance Director Steve Okins, Planning and Development Services Director Bruce Peterson, Public Works Director Mel Odens, Police Chief Jim Kulset, and City Clerk Kevin Halliday.

The Board met for the purpose of canvassing the ballots from the November 2, 1999, Special Election. Following review of the election results, Resolution No. 1 was introduced by Council Member Kelly, seconded by Council Member Fagerlie, read by Mayor Pro Tempore Kelly, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

WHEREAS, the City Council of the City of Willmar, Minnesota, has officially canvassed the ballots for the Special Election held on November 2, 1999, in and for the City of Willmar, which asked the question "Should the City of Willmar finance and maintain an Aquatic Center project with the sale of \$3,944,000 General Obligation Bonds?"

NOW, THEREFORE, BE IT RESOLVED, that the results listed below are a full and true canvass of the Special Election:

<u>Ward</u>	<u>Precinct</u>	<u>Total Votes Cast</u>	<u>Total Yes Votes</u>	<u>Total No Votes</u>
1	1	163	57	106
1	2	226	50	174
1	3	275	79	196
1	4	88	22	66
1	5	0	0	0
2	1	362	88	274
2	2	565	176	387
2	3	675	152	520
3	1	325	81	244
3	2	209	44	165
3	3	260	70	182

4	1	463	116	347
4	2	303	48	253
4	3	358	62	296

City-wide Total		4272	1045	3210
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Total Registered Voters		9239		
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Dated this 3rd day of November, 1999.

COUNCIL MEMBERS:

/s/ Douglas Reese

/s/ Rick Fagerlie

/s/ Ron Christianson

/s/ Verna Kelly

/s/ Nancy Houlahan

/s/ Denis Anderson

/s/ Bruce DeBlieck

/s/ Jim Dokken

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
ATTEST: City Clerk-Treasurer

There being no further business to come before the Board of Canvass, the meeting adjourned at 7:00 p.m. upon motion by Council Member DeBlieck, seconded by Council Member Fagerlie, and carried.

The regular meeting of the Willmar City Council was called to order at 7:00 p.m. by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Verna Kelly, Denis Anderson, Ron Christianson, Bruce DeBlieck, Douglas Reese, Nancy Houlahan, Jim Dokken, and Rick Fagerlie; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Police Chief Jim Kulset, and City Clerk Kevin Halliday.

Mayor Heitke thanked the voters of the City of Willmar for the 46 percent voter turnout at the November 2, 1999, special election. The Mayor also offered thanks to the Aquatic Center Task Force for their hard work.

Council Member Reese offered a motion adopting the Consent Agenda, which included the following: City Council Minutes of October 20, Municipal Utilities Commission Minutes of October 25, Rice Hospital Board Minutes of October 27, Building Inspection Report of September, and Police Civil Service Commission Minutes of October 18, 1999. Council Member Kelly seconded the motion, which carried.

At 7:05 p.m. Mayor Heitke opened the hearing on an Ordinance Extending the Corporate Limits of the City of Willmar. Planning and Development Services Director Peterson informed the Mayor and Council that a petition has been filed for annexation of 1.32 acres of land abutting South First Street for office/business development. The Planning Commission has considered the matter and recommends the property be annexed as requested. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:06 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Extending the Corporate Limits of the City of Willmar. Council Member Kelly seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:07 p.m. Mayor Heitke opened the hearing on an Ordinance Granting a Permanent Easement for Electrical Utility Line Purposes. Planning and Development Services Director Peterson informed the Mayor and Council that Kandiyohi Power Cooperative has requested an electric line easement across City-owned property in east Willmar. The Planning Commission recommends the easement be granted. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:08 p.m.

Council Member Kelly offered a motion to adopt, assign a number and order final publication of an Ordinance Granting a Permanent Easement for Electrical Utility Line Purposes. Council Member Reese seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Public Works/Safety Committee Report of October 25, 1999, was presented to the Mayor and Council by Council Member Reese. There were seven items for Council consideration.

Item No. 1 The Committee reviewed correspondence and a standard agreement from the American Red Cross requesting use of the City Auditorium as a care shelter in the event of a local disaster. The Committee was recommending to the Council approval of the agreement and authorize the Mayor to sign on behalf of the City. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Kelly seconding the motion, which carried.

Item No. 2 The Committee briefly discussed the need for a right-of-way ordinance in the City. It was decided to defer this item until the next meeting to allow members more time to review the model ordinance from the League of Minnesota Cities. This matter was for information only.

Item No. 3 The Committee deferred a request for an easement across right-of-way ordinance until more information is received. This matter was for information only.

Item No. 4 The Committee discussed the installation of a signal at 19<sup>th</sup> Avenue and 15<sup>th</sup> Street SW, which was approved by the City Council this past summer. Staff received two quotes for the design of the system based on an hourly rate to do the total project. The estimated cost from S.E.H. is \$10,900 and the estimated cost from Bolton and Menk is \$17,900. Staff recommended accepting the low quote and proceeding with purchase of items with extended delivery time, such as the mast arms and controller.

Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### Resolution No. 1

Whereas the City of Willmar desires to retain a consultant to provide professional engineering services to design a traffic signal system at the intersection of 15<sup>th</sup> Street and 19<sup>th</sup> Avenue SW for the City of Willmar; and

Whereas a proposal has been made by, and an agreement prepared to retain, the firm of Short Elliot Hendrickson, Inc. on an hourly basis for an estimated cost of \$10,900.00 for said services;

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the City Administrator be authorized to execute the same.

Be it further resolved that funding for said services be from County and Municipal State Aid Funds.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee discussed drainage issues in various parts of the City. An option discussed was the possibility of cleaning ditches to alleviate problem areas. Staff is in the process of studying options available for drainage areas throughout the City and will report back at a future meeting. This matter was for information only.

Item No. 6 The Committee reviewed two supplemental agreements with Riley Brothers Construction for the South First Street Project. Supplemental Agreement No. 5 provides for the milling and overlaying of the 1<sup>st</sup> Street and 19<sup>th</sup> Avenue intersection due to deteriorated concrete and matching the grade. Supplemental Agreement No. 6 provides for the salvaging and reinstalling of the existing mailboxes within the project limits. Both additions to the contract are 100 percent fundable by State Aid. The Committee was recommending to the Council approval of the supplemental agreements.

Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

WHEREAS, a contract has been awarded to Riley Brothers Construction, Inc. of Morris, Minnesota, on April 27, 1998, in the amount of \$2,490,428.15 for Project No. 9605 (Reconstruction of First Street from 19<sup>th</sup> Avenue South to the entrance of Walmart): and Supplemental Agreements Nos. 1-4 added \$19,949.07 for a total of \$2,510,377.22; and

WHEREAS, it is desired to add additional work to the above contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Additional work is herewith authorized to be added to the above contract estimated by the Consulting Engineer to be \$37,160.00 and identified as Supplemental Agreement Nos. 5 and 6.
2. Funding for the additional work is from State Municipal Turnback Funds.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 7 Staff presented to the Committee a final estimate for the 1998 street improvements. The project was substantially completed last year by Duininck Brothers with the exception of the final bituminous lift, which was done this summer. The Committee was recommending to the Council that final payment be authorized.

Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

PROJECT NUMBER: 9801  
IMPROVEMENT: Street and Other

CONTRACTOR:	Duininck Bros., Inc.
DATE OF CONTRACT:	May 13, 1998
BEGIN WORK:	June 1, 1998
COMPLETE WORK:	June 10, 1999
APPROVE, CITY ENGINEER:	October 25, 1999

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota,  
that:

1. The said Project No. 9801 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$1,116,576.55
Change Orders (None)	\$0.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$1,116,576.55
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$1,116,106.44
Less Previous Payments (Estimate Nos. 1-5)	\$1,075,311.12
FINAL PAYMENT DUE CONTRACTOR:	\$40,795.32

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Public Works/Safety Committee Report of October 25, 1999, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member DeBlieck, and carried.

The Finance Committee Report of October 26, 1999, was presented to the Mayor and Council by Council Member Kelly. There were seven items for Council consideration.

Item No. 1 Jean Spaulding representing the Convention and Visitors Bureau updated the Committee on the status of various C.V.B. budget items. Ms. Spaulding indicated that the C.V.B. is evaluating the amount of fund balance necessary for cash flow purposes and will recommend a level they feel is appropriate in the near future. This matter was for information only.

Item No. 2 The Committee considered a proposal to transfer the Heartland Express bus assets to the Kandiyohi Area Transit Joint Powers Board, thus aiding in the process to close out the Heartland Express operations and convert all operations over to K.A.T. The Committee was recommending to the Council to pass a resolution transferring ownership of Heartland Express buses to the Kandiyohi Area Transit Joint Powers Board.

Resolution No. 4 was introduced by Council Member Kelly, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 4

WHEREAS, the City of Willmar purchased transit buses for the delivery of transit services under the operation of the Willmar Heartland Express; and

WHEREAS, the City of Willmar has entered into a Joint Powers Agreement with

the County of Kandiyohi to offer Kandiyohi area transit services; and

WHEREAS, the transit buses were purchased using State of Minnesota Department of Transportation funds and said Department allows the transfer of capital equipment to similar transit services within the State.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willmar hereby offers to transfer ownership of four (4) transit buses herein listed to the Kandiyohi Area Transit Joint Powers Board:

Bus #1, 1992 Ford MYCTV 1FDKE37MINHB61045  
Bus #2, 1992 Ford MYCTV 1FDKE37M5NHB61047  
Bus #3, 1997 Ford MYCTV 1FDLE40F4VHB84115  
Bus #4, 1997 Ford MYCTV 1FDLE40F6VHB84116

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee also discussed the procedure for payment of contributions to the Joint Powers Board for operational costs. The present agreement calls for quarterly payments to be made with the last payment made after the yearly audit is completed. It was staff's recommendation that this procedure be changed so all quarterly payments are made at the end of the quarter with a final reconciliation made as soon as the audit report is received. The Committee moved to make this recommendation to the Joint Powers Board for the consideration. Council Member Kelly moved to approve the recommendation of the Finance Committee with Council Member Houlahan seconding the motion, which carried.

Item No. 3 The Committee considered an agreement to extend the Intergovernmental Transfer between the City of Willmar and Municipal Utilities Commission for another two years. The extension would allow both agencies the opportunity to plan and budget in advance. The agreement would reduce the percentage paid from 5 percent of net worth to 4.95 percent in 2000, and 4.90 percent in 2001. The Committee moved to recommend that the Council pass a resolution authorizing the Administrator and Mayor the authority to sign the agreement as presented.

Resolution No. 5 was introduced by Council Member Kelly, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an agreement between the City of Willmar and Municipal Utilities for payment of intergovernmental transfer.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 Willmar Librarian Earleen Warner met with the Committee to discuss hours of operation of the Library since the expansion has opened. Concerns have been expressed from citizens with the Library closing at 8:00 p.m. The Library's new hours are Monday through Thursday, 10:00 a.m. to 8:00 p.m., Friday

10:00 a.m. to 5:30 p.m., and Saturday 10:00 a.m. to 4:00 p.m. Ms. Warner noted the busiest time of operation are the hours right after school is released. The Committee asked that Ms. Warner continue to monitor the operations and see if it would be possible to expand the hours to 9:00 p.m., especially in the winter months. This matter was for information only.

Item No. 5 The Committee reviewed a recommendation from the Park and Leisure Board to increase certain rates at the Civic Center. The new rates proposed were increasing the ice rental from \$78.00 per hour to \$81.00, the establishment of a new rate for minimum use of \$65.00, and an increase for senior citizens and students for open skating from \$1.50 to \$2.00.

Staff presented information as it relates to other arenas in the State and locally, and explained its comparison to the Willmar Civic Center. The Committee was recommending that the Council introduce a resolution setting the rates as recommended from the Park Board.

Resolution No. 6 was introduced by Council Member Kelly, seconded by Council Member Anderson, and read by Mayor Heitke. Following discussion, Council Member Christianson offered a motion to amend the resolution increasing the ice rental from \$81 to \$84. Council Member Dokken seconded the motion, which failed on a roll call vote of Ayes 3, Noes 5 - Council Members Reese, Houlahan, Anderson, Fagerlie and Kelly voted "No". The Resolution was then approved on a roll call vote of Yes 5, Noes 3 - Council Members Christianson, Dokken and DeBlieck voted "No".

#### RESOLUTION NO. 6

WHEREAS, the City of Willmar has conducted a review of operational costs of the Willmar Civic Center Arena and has received evidence with respect to the need for a rate increase in the ice rental rates and dry floor events; and

WHEREAS, the City Council of the City of Willmar has duly considered the rate increase request and finds that the request for a rate increase is reasonable and justified.

NOW, THEREFORE, BE IT RESOLVED that the Non-Revenue and Revenue Producing Ice Rental Rates and Dry Floor events be and hereby are set as follows effective November 3, 1999:

	<u>Existing</u>	<u>Proposed</u>
Ice Rental	\$ 78.00	\$81.00
Minimum Use		\$65.00
Open Skating:		
Students	\$ 1.50	\$ 2.00
Non Students/Adults	\$ 2.00	
Senior Citizens	\$ 1.50	\$ 2.00
Open Hockey	\$ 2.00	
Open Freestyle	\$ 2.00	
Parents and Tots (tots free) - Parents	\$ 2.00	
Skate Sharpening	\$ 2.00	
Skate Rental	\$ 1.00	\$ 1.50
High School Hockey Game Ticket Prices		
Senior Citizens	\$ 2.00	
Adults	\$ 4.00	
Youth	\$ 2.00	
Preschool	Free	
Willmar Youth Hockey Tournaments		\$ 95.00
20% Gate and 10% of all novelty items sold by group		
Willmar High School Hockey Tournaments		\$ 95.00
20% Gate and 10% of all novelty items sold by group		
Figure Skating Show (Arena Sponsored)		\$ 95.00
20% Gate and 10% of all novelty items sold by group		
Figure Skating Show (Non-City Sponsors)		\$ 95.00
20% Gate and 10% of all novelty items sold by group		
Camps (Hockey, Figure Skating, etc.)		\$ 95.00
Non-Admission or Restricted Admission Events		\$ 550.00
Restricted Admission Events (Liquor Variance)		\$ 650.00

Non-Admission Events (Half-House)	\$ 275.00
Paid Admission Events	\$ 550.00
Concerts	\$ 650.00
Partial Day Rental	\$ 25.00

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 The following reports were reviewed by the Committee: September Convention and Visitor's Bureau, Willmar Regional Access Channel-8, Rice Trust and Sales Tax Update. This matter was for information only.

Item No. 7 The following items were placed on future agendas: Senior Nutrition Funding and the Year 2000 Budget. This matter was for information only.

The Finance Committee Report of October 26, 1999, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Kelly, seconded by Council Member Reese, and carried.

The Labor Relations Committee Report of October 27, 1999, was presented to the Mayor and Council by Council Member Christianson. There were three items for Council consideration.

Item No. 1 City Administrator Schmit provided the Committee with an update on the hiring process to fill the Fire Chief's position. Four candidates have been selected to be interviewed in mid-November.

Administrator Schmit requested Committee consideration to upgrade the proposed Chief's position to that of other Department Directors. Under the current system, Department Directors are set at Range 16. The Committee was recommending to the Council that the Fire Chief's position classification be upgraded to other comparable Director positions. Council Member Christianson moved to approve the recommendation of the Labor Relations Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 2 The Committee received for information the proposed job value recommendations as proposed by Mr. Paul Ness. The proposed values have been referred to Rice Hospital, the Municipal Utilities, and employee groups for review and comment. The job value system is scheduled to be adopted prior to year-end. This matter was for information only.

Item No. 3 Chair Christianson declared the meeting closed to met with Labor Consultant Frank Madden. This matter was for information only.

The Labor Relations Committee Report of October 27, 1999, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Fagerlie, and carried.

The Community Development Committee Report of October 28, 1999, was presented to the Mayor and Council by Council Member DeBlieck. There were five items for Council consideration.

Item No. 1 Ken Warner of the Willmar Area Chamber of Commerce was present to discuss with the Committee the issue of transient merchants and distributed a handout outlining discussion points. Mr. Warner requested that the City consider adoption of an ordinance to regulate transient merchant activities, and acknowledged that an ordinance would require an administrative commitment on the part of the City.

The Committee was recommending to the Council that the City Council support enforcement by the County of existing statutes governing transient merchants.



Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Fagerlie seconding the motion, which carried. The Committee suggested that the Mayor send a letter to the County Board.

Item No. 2 The Committee discussed new entrance signs along major highways into the City. The current signs were donated by the Jaycees and require significant maintenance. Involvement by service clubs for fundraising and promotion was suggested. It was a consensus of the Committee that any new signs be more substantial, preferably of brick and stone. Staff was directed by the Committee to contact local sign contractors for information about design, materials, and cost. This matter was for information only.

Item No. 3 The Committee discussed a request by the Coalition of Greater Minnesota Cities that Willmar participate in its economic development lobbying effort. Participation would come at a cost of \$.13/person or \$2456. The Committee was recommending to the Council that the City participate in the lobbying effort, and that the \$2456 cost be paid from the Professional Services line of the 1999 Planning and Development Services budget. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Christianson seconding the motion, which carried.

Item No. 4 The Committee discussed change order #9 for the library general contract in the amount of \$8428. The Committee was recommending to the Council that a resolution be adopted approving change order #9 for the Nelson Construction Company contract.

Resolution No. 7 was introduced by Council Member DeBlieck, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Houlahan abstained from voting.

RESOLUTION NO. 7

WHEREAS, a contract has been awarded to Nelson Construction Company, Inc., on May 29, 1998, in the amount of \$2,965,000 for the construction of an addition to and renovation of the Willmar Public Library; and

WHEREAS, Change Orders No. 1 through 8 in the amount of \$145,246.00 have previously been authorized; and

WHEREAS, it is desired to add additional work to the above contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Additional work is herewith authorized to be added to the above contract estimated to be \$8,428.00.
2. Funding for the additional work is from the G. O. Sales Tax Revenue Bond.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

The Committee reviewed other change orders for the library project were discussed as follows: ASI Sign Systems - change order #1, \$1309.84; Embury Ltd. - change order #1, \$8534.00; Jones Library Sales - change order #2, \$10,641.60; and Metro Systems - change order #1, \$2626.48. These change orders reflect changes made to contracts for signs, furniture, and architectural woodwork.

The Committee was recommending to the Council that the City Council adopt resolutions approving the change orders as presented for the four. Resolution No. 8 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Houlahan abstained from voting.

RESOLUTION NO. 8

WHEREAS, a contract has been awarded to ASI Sign Systems, on June 1, 1999, in the amount of \$22,358.89 for signs for the Willmar Public Library; and

WHEREAS, it is desired to add additional work to the above contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Additional work is herewith authorized to be added to the above contract estimated to be \$1309.84.
2. Funding for the additional work is from the G. O. Sales Tax Revenue Bond.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 9 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Houlahan abstained from voting.

RESOLUTION NO. 9

WHEREAS, a contract has been awarded to Embury Ltd, on April 9, 1999, in the amount of \$103,122.00 for furniture for the Willmar Public Library; and

WHEREAS, it is desired to add additional work to the above contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Additional work is herewith authorized to be added to the above contract estimated to be \$8534.00.
2. Funding for the additional work is from the G. O. Sales Tax Revenue Bond.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 10 was introduced by Council Member DeBlieck, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Houlahan abstained from voting.

RESOLUTION NO. 10

WHEREAS, a contract has been awarded to Jones Library Sales Inc., on April 9, 1999, in the amount of \$95,570.00 for architectural woodwork for the Willmar Public Library; and

WHEREAS, it is desired to add additional work to the above contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Additional work is herewith authorized to be added to the above contract estimated to be \$10,641.00.
2. Funding for the additional work is from the G. O. Sales Tax Revenue Bond.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 11 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Houlahan abstained from voting.

RESOLUTION NO. 11

WHEREAS, a contract has been awarded to Metro Systems, on April 9, 1999, in

the amount of \$31,213.06 for furniture for the Willmar Public Library; and

WHEREAS, it is desired to add additional work to the above contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Additional work is herewith authorized to be added to the above contract estimated to be \$2626.48.
2. Funding for the additional work is from the G. O. Sales Tax Revenue Bond.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Staff brought the Committee up-to-date on efforts by the Airport Commission to secure the services of an airport consultant to lead the City in the next phases of the airport project. It was noted that proposals had been submitted by six firms. Interviews are scheduled to be completed in mid-November for a late-November selection. This matter was for information only.

The Community Development Committee Report of October 28, 1999, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlieck, seconded by Council Member Fagerlie, and carried.

The Mayor and City Council reviewed an application from Apple American Limited Partnership of Minnesota (Applebee's Neighborhood Bar & Grill) for on-sale and Sunday liquor licenses. Council Member Kelly moved to approve both licenses contingent upon City Attorney approval of the Certificate of Insurance. Council Member Reese seconded the motion, which carried on a roll call of Ayes 8, Noes 0.

The Mayor and Council discussed an application of exempt permit from the Rocky Mountain Elk Foundation, Prairie Lakes Chapter. No action was necessary, and this matter was for information only.

City Clerk Halliday informed the Mayor and Council that the resolution adopting the assessment roll for the 1999 Street Improvement Project incorrectly stated the date of bond sale as July 7, 1999, when in fact the bonds were sold July 21, 1999. This change would allow for correct calculation of interest on the properties assessed. Resolution No. 12 was introduced by Council Member Kelly, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 12

#### AMENDING ASSESSMENT ROLL

WHEREAS, The City Council of the City of Willmar, Minnesota duly adopted the assessment roll for the 1999 Street Improvement Project on May 5, 1999, and

WHEREAS, certain adopted assessments were amended on June 23, 1999, due to further negotiations, additional information or district court action, and

WHEREAS, the stated date of bond sale was delayed and the erroneous date caused extra interest to be calculated against each parcel

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. The stated date to commence adding interest be hereby amended to July 21, 1999.

2. Such assessments shall be as follows:

A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2000, collectible with such taxes during the year 2000.

B. To the first installment shall be added interest at the rate of six and fifty-hundredths (6.50) percent per annum on the entire principal amount of the assessment from the date of the bond sale, approximately July 21, 1999, until December 31, 2000. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.

C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City clerk-Treasurer, except that no interest shall be charged if the entire assessment is paid by October 31, 1999, and such property owner may at any time prior to November 15 of any year pay to the City Clerk-Treasurer the entire principal amount.

3. The City Clerk-Treasurer shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 3<sup>rd</sup> day of November, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

City Clerk Halliday informed the Mayor and Council that a new election law was adopted allowing local governments to petition the State to combine election precincts that were added under annexation boundary changes. Following discussion, Council Member Kelly moved to petition the Secretary of State to allow the City of Willmar to combine election precincts Ward 1, Precinct 5 with Ward 1, Precinct 3, and Ward 1, Precinct 4 with Ward 1, Precinct 1. Council Member Reese seconded the motion, which carried.

The Council discussed the pending meeting scheduled to take public comment on the downtown Courthouse. Council Member Anderson moved to draft a statement to Kandiyohi County strongly encouraging that the Courthouse remain in downtown Willmar. Council Member Reese seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance Committee, November 8; Finance, November 22; and Public Works/Safety, November 23, 1999.

Mayor Heitke recognized Boy Scouts Jason Pitzen and Adam Kanelke who are with Troop 565 working on their citizenship in the community merit badge.

There being no further business to come before the Council, the meeting adjourned at 8:35 p.m. upon motion by Council Member Christianson, seconded by Council Member DeBlieck, and carried.

Attest:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL